004002-003070.DAC.289605 Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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MARKE	Application Number	10/	603,4	471		
TRANSMITTAL		Filing Date	Jur	June 25, 2003		
FORM		First Named Inventor	Lar	Larry Gause		
(to be used for all correspondence after initial filing)		Art Unit	373	3732		
	Examiner Name					
Total Number of Pages in This Submission		Attorney Docket Number	400	4002-3070/PC757.00		
	ENCLOSURES (Check all that apply)					
Fee Transmittal Form	☐ Drawings			After Allowance communication to Group		
Fee Attached	Lic	censing-related Papers			Appeal Communication to Board of Appeals and Interferences	
☐ Amendment/Reply	☐ Pe	etition			Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
☐ After Final		etition to Convert to a Provisional			Proprietary Information	
Affidavits/declaration(s)		wer of Attorney, Revocation ange of Correspondence Address			Status Letter	
Extension of Time Request		Terminal Disclaimer		$\boxtimes$	Other Enclosure(s) (please identify below):	
Express Abandonment Request	☐ Re	Request for Refund		X	22 cited refs.	
Suppl. Information Disclosure		), Number of CD(s)		X	Inter Search Report	
<u> </u>		ks	<u> </u>			
Response to Missing Parts/Incomplete Application						
Response to Missing Parts under 37 CFR 1.52 or 1.53						
SIGNATU	RE OF	APPLICANT, ATTORNE	Y, O	R AC	SENT	
Firm or individual name Woodard, Emhardy, Moriarty, McNett & Henry LLP						
Signature						
Date June 28, 2004 0						
CERTIFICATE OF TRANSMISSION/MAILING						
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below						
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This collection of information is required by 37 CFR 1.5. The information of required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

004002-003070.DAC.289561

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:	) ) Before the Examiner
Larry Gause	)
Serial No. 10/603,471	) ) Group Art Unit 3732
Filed June 25, 2003	) Group Art Office 3732
SYSTEM FOR STABILIZING A PORTION OF THE SPINE	) )Atty Docket No. 4002-3070/PC757.00
FORTION OF THE STINE	) June 28, 2004

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure embodied in 37 C.F.R § 1.56 and 1.98,

Applicant discloses the following references on the attached Information Disclosure

Citation Form. This information has not been previously submitted in this application by the applicants.

The filing of this information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in §1.56 or that any information cited is prior art.

Enclosed herewith is an International Search Report from a counterpart PCT Application No. US 03/25089 which provides a brief explanation regarding the relevance of any foreign language references enclosed herewith.

This Statement is being submitted before the mailing of a First Office Action on the merits, therefore no fees are believed due for consideration of the enclosed references.

The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted

By:

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Signature

June 28,2004

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Complete if Known Substitute for form 1449A/PTO Application Number 10/603,471 INFORMATION DISCLOSURE June 25, 2003 Filing Date STATEMENT BY APPLICANT First Named Inventor **Larry Gause** Group Art Unit 3732 (use as many sheets as necessary) **Examiner Name** Attorney Docket Number 4002-3070/PC757.00 Sheet of 2

	U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (If known)	Publication Date MM-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	
	1	2,977,150	05/1957	Thomas		
	2	3,741,205	06/1973	Markolf et al.		
	3	3,814,102	06/1974	Thal		
	4	4,834,090	05/1989	Moore		
	5	5,391,181	02/1995	Johnson et al.		
	6	5,423,854	061995	Martin et al.		
	7	5,431,652	07/1995	Shimamoto et al.		
	8	5,501,685	03/1996	Spetzler		
	9	5,954,722	09/1999	Bono		
	10	6,228,085	05/2001	Theken et al.		
	11	2002/0077630 A1	06/2002	Lin		
	12	2003/0105462 A1	06/2003	Haider		

Examiner Cite Initials* No.1	Foreign Patent Document	Publication Date	Name of Patentee or Application of Cited	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T0	
	Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	MM-YYYY	Document		L'	
	13	PCT WO 96/05778	02/1996			
	14	PCT WO 02/09607 A1	02/2002			
	15	PCT WO 02/24120 A1	03/2002			
	16	EP 0 637 437 A1	02/1995			
	17	CA 2,201,464	10/1998			
	18	DE 1 566 110	04/1970			
	19	DE 296 20 086 U1	01/1997			
	20	DE 199 14 387 A1	03/1999			
	21	DE 201 10 393 U1	08/2001			

Examiner Signature Date Considered	

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<sup>&</sup>lt;sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at <a href="www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the ap0propriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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DISCLOSURE

(Use several sheets if necessary)

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Atty. Docket No. Serial No. 4002-3070/PC757.00 10/603,471 Applicant Larry Gause Filing Date Group

		Page 2 of 2	June 25, 2003	3732		
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